

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION**

**CRIMINAL MINUTES – JURY TRIAL  
Day 4**

**Case No.: 1:17CR27**

**Date: 12/5/2024**

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**Defendant: Joel Smithers, Custody**

**Counsel: Beau Brindley  
Edward McDavid  
Michael Thompson**

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PRESENT: JUDGE: James P. Jones  
Deputy Clerk: Felicia Clark  
Court Reporter: Cynthia Bragg, OCR  
U. S. Attorney: Randy Ramseyer, Corey Hall, & Suzanne Kerney-Quillen  
USPO: Not Present  
Case Agent: Patrick Long

Time In Court: 9:04 a.m. – 9:52 a.m.  
10:12 a.m. – 11:59 a.m.  
1:02 p.m. – 2:46 p.m.  
3:05 p.m. – 4:01 p.m.

TOTAL TIME IN COURT: 5 hours 13 minutes

**LIST OF WITNESSES**

<b>GOVERNMENT</b>	<b>DEFENDANT</b>
1. Dr. Andrea Orvik 2. Dr. James Kraner 3. Susan Mock 4. Christina Sparks 5. Kristen Bailey 6. Peter Bodai 7. Deputy Chris Young	1.

**PROCEEDINGS:**

- ☒ Government presents evidence.  
☒ Defendant remanded to custody.

Additional Information:

9:04 a.m. – Jury Trial – Day held. All parties were present and ready to proceed. Court discussed hearsay issue with counsel. Court affirmed previous ruling on this matter. Jurors were brought into the courtroom. Government presented evidence and questioned witnesses. Defense counsel objected to proposed government exhibit 117. Outside the presence of the jury, oral argument by counsel in re: proposed exhibit 117. Court recessed at 9:52 a.m. Court resumed at 10:12 a.m. Court will permit the report, namely pages 1 – 6 (Government Exhibit 117). Jurors returned to the courtroom. Government continued presenting evidence and questioning witnesses. Objection by defense counsel in re: toxicology report-calibration. Outside the presence of the jury, oral argument by counsel. Court overruled objection conditionally. Jurors were brought back into the courtroom. Outside the presence of the jury, oral argument by counsel as to testing contained in the toxicology report. Court recessed for lunch at 11:59 a.m. Court resumed at 1:02 p.m. Court recessed at 2:46 p.m. Court resumed at 3:05 p.m. Court adjourned at 4:01 p.m. Defendant was remanded to custody.